

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DENNIS L. SMITH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 98-639-JJF
	)	
EX-POLICE CHIEF GUY D.	)	
BAYNARD,	)	
	)	
Defendant.	)	

DEFENDANT GUY D. BAYNARD'S MOTION FOR LEAVE  
TO FILE MEMORANDUM OF POINTS AND AUTHORITIES  
IN LIEU OF AN OPENING BRIEF

Defendant Guy D. Baynard requests permission to file a Memorandum of Points and Authorities in support of his Motion for Clarification pursuant to Dist. Ct. L.R. 7.1.2. (b) in lieu of an opening brief. In support of his Motion, defendant states as follows:

1. Dist. Ct. L.R. 7.1.2. (b) provides that " the Court may order or the parties may agree to serve and file...statements of points and authorities in memorandum form in place of briefs."

2. Plaintiff is pro se. The arguments set forth in Defendant's Motion for Clarification do not require complex factual or legal analysis.

**WHEREFORE**, defendant Guy D, Baynard respectfully requests permission to file a Memorandum of Points and Authorities in lieu of an Opening Brief.

AKIN & HERRON, P.A.

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